

REMARKS

Claims 1 to 9, 12, 15, 18 and 19 were pending in the application at the time of the advisory action. Claims 1 to 9, 12, 15, 18 and 19 remain rejected as anticipated.

A review of the drawings indicated that Fig. 12 includes two instances of reference numeral 1240; Fig. 17 includes two instances of reference numeral 1720; and Fig. 24 includes two instances of reference numeral 2420. Applicants have amended the specification so that the "end with failure" element in Fig. 12 has reference numeral 1245; "user data 10" element in Fig. 17 has reference numeral 1721; and "user data 10" element in Fig. 24 has reference numeral 2421. These amendments add clarity by giving each distinct element in the drawings a distinct reference numeral and so do not add new matter. Applicants are obtaining corrected drawings and will submit replacement sheets under separate cover when the corrected drawings are received.

Claims 1 to 9, 12, 15, and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0120864, hereinafter referred to as Wu. With respect to Claims 1, 4 and 7, the rejection stated, in part:

. . . Wu et al. discloses a method, program and apparatus for managing identification in a data communications network comprising a portable user-controlled secure storage device(i.e., repository server system) which is used to store user data and provide user interface control to the user when a request is made to perform services with the Web. (See page 4, Section 0042), enrolling user of the user-controlled secure storage device with an authority network site, providing information requested, storing the data, enabling the portable user-controlled secure storage device to release user data and using the user data, from the portable user-controlled secure storage device at a service provider network site to obtain a service. (See page 4, Sections 0040-042)

Applicants respectfully traverse the anticipation rejection of each of Claims 1, 4 and 7. The rejection is simply Applicants' claim language paraphrased. The comments in the prior response as to why Wu fails to anticipate Applicants' claims have not been rebutted and so the Office has admitted that the remarks are correct. Accordingly, a notice of allowance should be issued. The MPEP and the courts require that the Office address the remarks.

Yet again, Applicants point out that for an anticipation rejection, the MPEP requires:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." **"The identical invention must be shown in as complete detail as is contained in the ... claim."** (Emphasis Added.)

MPEP § 2131, 8th Ed., Rev. 5, p. 2100-67 (August 2006).

The statements in the rejection paraphrase Applicants' claim language and are not a teaching in Wu. Paragraphs 40 to 42 of Wu taught:

[0040] As generally illustrated in FIG. 1, the environment preferably addressed by the present invention includes a typically public-use communications network 12, such as the Internet, that permits a user of a client system 14 to conduct information transactions over the network 12 with any of the partner site servers 16, 18, 20 and an information server system 22. The partner site servers 16, 18, 20 represent any network accessible computer systems that provide or require a login identification by the user, that request form-entry type information, or that may submit information, such as receipts, on behalf of a user to the information server system 22. The partner site servers 16, 18, 20 may be electronic commerce sites, where the user is allowed to order or purchase goods or services. Site-specific Web page forms are presented to the user to obtain identifying information, such as a login name and password, and other transaction-specific information prior to completing a user transaction. Electronic receipts and receipt-type data, generated in connection with an ecommerce transaction or independently generated and supplied, such as in the case of warranty

and product registration, and purchase incentive coupons, are preferably received from partner sites.

[0041] In accordance with the present invention, the partner site servers 16, 18, 20, present an additional user-interface (UI) control, such as a clickable button, on Web pages to allow a user to initiate the retrieval of confidential user-information desired to complete a specific data-entry form. The UI control may also be used to initiate or cause the submission of receipts or receipt-type data for storage with the information server system for the benefit of the user. Other controls, such as check-boxes, selection lists, and radio buttons, as well as pre-set site and user-specific site configuration options, can be used as alternative interface controls.

[0042] In the case of a Web page form, the user activation of a user-interface control, either directly as through a button click or indirectly through the triggering of a pre-set, a request is issued, preferably using an HTTP Get command or alternately a Post command, on behalf of the corresponding partner site server 16, 18, 20 destined for an information server system 22 that includes a processor system 24 that manages and controls access to an information repository 26. When received, the request contains or is accompanied by sufficient information to authenticate the partner site server 16, 18, 20 and the client system 14 to the information server system 22. The request also identifies the information needed to complete the partner site form presented to the user. This identification of the information requested can be an explicit coded listing of the requested information. Alternately, the identifier is an indirect reference, which is processable by the information server system 22, to obtain a corresponding list of the requested information. Preferably, the identifier is constructed as a hybrid, containing explicit data field references for handling dynamic data requirements and a storage reference for data field references that are well anticipated or static. Using the hybrid specification of data references allows the dynamic or run-time complementing and overriding of the static set of data field references.

This section does not teach or even suggest "a repository server system" that was used in the rejection without citation. Instead, Wu stated "an information server system 22 that includes a processor system 24 that manages and controls access to an information repository 26."

There is no teaching that the information server system is user-controlled and there is no teaching that either the information server system or the repository is portable. Therefore, Wu fails to teach a "portable user-controlled secure storage device."

The rejection has failed to cite any teaching that either the repository or the information server system could even be implemented on a portable user-controlled secure storage device. Further, the rejection has failed to cite any teaching of "receiving a portable user-controlled secure storage device." Receiving a request from a user teaches nothing concerning any type of device let alone the specific device recited in these claims. Only one of these differences is needed to overcome the anticipation rejection. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 1.

Claim 4 is a program storage device corresponding to method Claim 1 and thus includes substantially the same distinctive feature as Claim 1. Claim 7 is a means-plus-function Claim corresponding to method Claim 1 and thus includes substantially the same distinctive feature as Claim 1. Accordingly, the above comments with respect to Claim 1 are incorporated herein by reference for Claims 4 and 7. Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 4 and 7.

With respect to Claims 2, 5 and 8, the rejection stated, in part:

. . . Wu et al. discloses a method, program and apparatus for managing identification in a data communications network comprising receiving a portable user-controlled secure storage device, enrolling user of the portable user-controlled secure storage device with authority network site, providing information requested, receiving the data in two portion comprising a cryptogram computed based on the second portion (i.e. means for encryption by using a encrypted-key token which gives the user control

to access a device on the Web (See page 3, Section 0027 and page 4, Section 0044), storing the data, enabling the user-controlled secure storage device to release user data, and using the user data at a service provider network site to obtain a service. (See page 4, Sections 0044-0045)

Applicants respectfully traverse the anticipation rejection of Claim 2. Applicants respectfully notes that Claim 2 does not recite that the user data comprises simply a first portion and a second portion as was rejected, but rather recites a specification relation ship between the two parts, "said first portion comprising a cryptogram computed based on said second portion." As previously pointed out and not rebutted in the instant action:

. . . Claim 2 recites that the user data is received in response to enrolling. Paragraph [0027] does not describe any enrollment process. In addition, the user data in Claim 2 has two portions and a specific relationship between the two portions is defined. Paragraph [0027] does not describe such data.

Paragraph [0044] of Wu stated:

[0044] To operate within the preferred embodiments of the present invention, the user is required to initially establish a user-account on the information server system 22. In establishing this account, the user is allowed to select or is assigned a unique user-identifier, such as a username and password. This identifier, potentially further based on an encrypted key token, is used to subsequently identify the user to a partner server system 16, 18, 20 that has established a partner-account with the information server system 22. (Emphasis added)

Thus, Wu taught "a unique user-identifier, such as a username and password." However, Wu did not teach that the username was a cryptogram computed based on the password or alternatively that the password was a cryptogram computed based on the username. Wu not only did not teach the invention in

the same level of detail, but also taught away by stating that a third entity "an encrypted key token" was used.

The above comments with respect to Claim 1 are also applicable to Claim 2 and are incorporated herein by reference. The two sections of Wu fail to suggest the operations recited in Claim 2, let alone show **"The identical invention . . . in as complete detail as is contained in the ... claim,"** as required by the MPEP for an anticipation rejection. The rejection failed to cite teachings at the same level of detail not only of the operations associated with the portable user-controlled secure storage device, but also of the specific relationship of the user data. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 2.

Claim 5 is a program storage device corresponding to method Claim 2 and thus includes substantially the same distinctive feature as Claim 2. Claim 8 is a means-plus-function Claim corresponding to method Claim 2 and thus includes substantially the same distinctive feature as Claim 2. Accordingly, the above comments with respect to Claim 2 are incorporated herein by reference for Claims 5 and 8. Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 5 and 8.

With respect to Claims 3, 6 and 9, the rejection stated, in part:

. . . Wu et al. discloses a method, program and apparatus for managing identification in a data communications network presenting an identity credential request and data to be stored to a federated identity server via a client host, receiving an identity credential in response to randomized ID and receiving a logon credential in response to the service request (See pages 5-6, Section 0047 and Sections 0053-0054) Wu et al. further discloses an identity credential in response to randomized ID by allowing the user to securely pass information as authentication credentials to the service provider to authenticate the user, wherein the user-identity becomes validated (See page 3, Section 0027)

Applicants respectfully traverse the anticipation rejection of Claim 3. The rejection is a combination of the final rejection and the advisory action. The rejection has yet to refute or explain why Applicants' remarks in the response to the final office action and the in the RCE filing are incorrect and so basically stand admitted as correct by the Office. As noted previously,

. . . Claim 3 first recites:

presenting an identity credential request and data to be stored to a federated identity server via a client host

Thus, two elements are presented to the federated identity server, a request and data to be stored. None of the rejections nor the advisory action identifies what is considered to be the data to be stored. Further, the claim continues:

receiving an identity credential in response to said identity credential request, said identity credential comprising a randomized ID and an identification authority ID, said federated identity server capable of verifying the truthfulness, accuracy and completeness of said data to be stored (Emphasis Added)

The rejection has not cited any teaching of presenting the combination of elements or of any server having the capability recited in the Claim. Paragraph [0027], as quoted above, does not mention storage of data or verifying the truthfulness, accuracy and completeness of the data to be stored. The MPEP requires that Wu teach each of these three elements in the same level of detail as recited in the Claim.

Further, while Wu does state that the user can submit and store personal information in Paragraph [0045], there is no teaching that the server is "capable of verifying the truthfulness, accuracy and completeness of said data to be stored."

When specific deficiencies of the reference are identified, simply restating the prior rejections does not refute the remarks. The instant rejection still failed to show how Wu taught the recited elements. The MPEP, as quoted above is unambiguous, Wu must teach the invention to the same level of detail as recited in the claims. Since a server has yet to be identified that includes the elements in the same level of detail as recited in Claim 3, Wu fails to satisfy the requirements of the MPEP, as quoted above. Thus, the anticipation rejection of Claim 3 is still defective for multiple reasons. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 3.

Claim 6 is a program storage device corresponding to method Claim 3 and thus includes substantially the same distinctive feature as Claim 3. Claim 9 is a means-plus-function Claim corresponding to method Claim 3 and thus includes substantially the same distinctive feature as Claim 3. Accordingly, the above comments with respect to Claim 3 are incorporated herein by reference for Claims 6 and 9. Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 6 and 9.

With respect to Claims 12, 15, and 18, the rejection stated, in part:

. . . Wu et al. discloses a method for protecting privacy on a data communications network, storing user logon information for at least one service provider on a portable user-controlled secure device(i.e., repository server system) which is used to store user data and provide user interface control to the user when a request is made to perform services with the Web. (See page 4, Section 0042), the least one service provider server comprising at least one network server providing a service to a user, and logging on the device, and logging on providing access to the least one service provider server. (See pages 7-8, Sections 0065-0068)

Applicants respectfully traverse the anticipation rejection of Claim 12. The above comments with respect to Claim 1 concerning a portable user-controlled secure device are applicable to Claim 12 and so will not be repeated but incorporated herein by reference. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 12.

Claim 15 is a program storage device corresponding to method Claim 12 and thus includes substantially the same distinctive feature as Claim 12. Claim 18 is a means-plus-function Claim corresponding to method Claim 12 and thus includes substantially the same distinctive feature as Claim 12. Accordingly, the above comments with respect to Claim 12 are incorporated herein by reference for Claims 15 and 18. Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 15 and 18.

Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Ming-Chuan Wu et al., "Encoded Bitmap Indexing for Data Warehouses," hereinafter referred to as Wu. The rejection stated in part:

. . . a data structure stored in the memory, the data structure including a bit-mapped in the field determined by whether the user is a member of a group associated with the bit, the mapping for between bits in the field and membership in a group maintained by an aggregation authority. (See Abstract, page 220, and Section 2.1)

The Advisory Action did not address the rejection of Claim 19, and this rejection is simply a repeat of the rejection in the final office action. Applicants remarks have yet to be addressed. Accordingly, Applicants respectfully traverse the anticipation rejection of Claim 19. As stated previously:

Applicant expressly traversed this rejection and the traverse was not even acknowledged in the final office action. Accordingly, the final office action is

incomplete and should be withdrawn. Moreover, since the comments were not rebutted, it is an admission that Applicants' remarks were correct and so this claim should have been allowed.

Again, based upon the above quotation from the MPEP, the requirement for a reference is not that the reference teach some general abstract concept related to the invention, but rather the reference **must show** "The identical invention in as complete detail as is contained in the ... claim."

Wu describes generally the concept of using "simple bitmap indexing and the application domain for which it is ideally suited." The application domain is defined by abstract mathematical concepts and is not related by Wu to "membership in a group." Further, the rejection cited no teaching of "the mapping for between bits in said field and membership in a group maintained by an aggregation authority," but simply paraphrased the claim language. Accordingly, the rejection failed to meet the criteria required by the MPEP for an anticipation rejection. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 19.

Since the Office has failed to rebut Applicants' remarks, the Office again has allowed them to stand as correct and so Claim 19 should be allowed.

Claims 1 to 9, 12, 15, 18 and 19 remain in the application. Claims 10, 11, 13, 14, 16 and 17 were previously cancelled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 9, 2006.



Attorney for Applicant(s)

October 9, 2006
Date of Signature

Respectfully submitted,



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